

PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RPA(SUNNYSIDE
ETHANOL, LLC)06-02228-8

PN-06-63

Comment Period: December 4, 2006 to December 18, 2006

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

APPLICANT: Sunnyside Ethanol, LLC
ATTN: Rick DeCesar, Ph.D.
Director of Environmental Engineering
5000 McKnight Road, Suite 405
Pittsburgh, PA 15237

LOCATION: In unnamed tributaries to and into the West Branch Susquehanna River and into wetlands and an open body of water adjacent to these watercourses on the site of the former Howes Leather Company in Curwensville Borough, Clearfield County, Pennsylvania

WORK: To discharge dredged or fill material in Waters of the U.S. associated with the construction of an ethanol producing and waste coal-fired cogeneration plant. The proposed project will result in permanent impacts to: (1) 0.67 acre of PEM wetlands, (2) 1,440 linear feet (0.22 acre) of intermittent (and ephemeral) stream channels, (3) 0.71 acre of POW (man-made fire pond), and (4) 87 linear feet (0.25 acre) of the West Branch Susquehanna River associated with the construction of six outfall structures. In addition, there will be temporary impacts of 60 linear feet (0.16 acre) in the West Branch from the construction of two intake structures.

Mitigation for wetland impacts is proposed and includes the construction of 1.0 acre of wetlands on-site.

All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter or wish to examine detailed plans, please contact Dr. Tom Pluto at (814) 235-0574.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College Field Office, 1631 South Atherton Street, Suite 102, State College, Pennsylvania, 16801, within the comment period specified above.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Pennsylvania Department of Environmental Protection through the issuance of a Section 105 permit or through direct application to the Regional Office in the area of the proposed project. The Section 401 certifying agency has a statutory limit of one year in which to make its decision.

The applicant must obtain any State or local government permits which may be required.

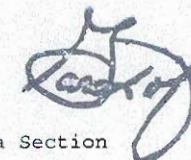
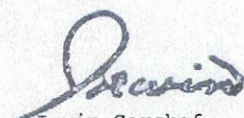
A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, State College Field Office, 1631 South Atherton Street, Suite 102, State College, Pennsylvania, 16801, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER



Irwin Garskof
Chief, Pennsylvania Section

Enclosures

T:\ERG\Ethanol\Sunnyside\GIS\Site Location Map.mxd

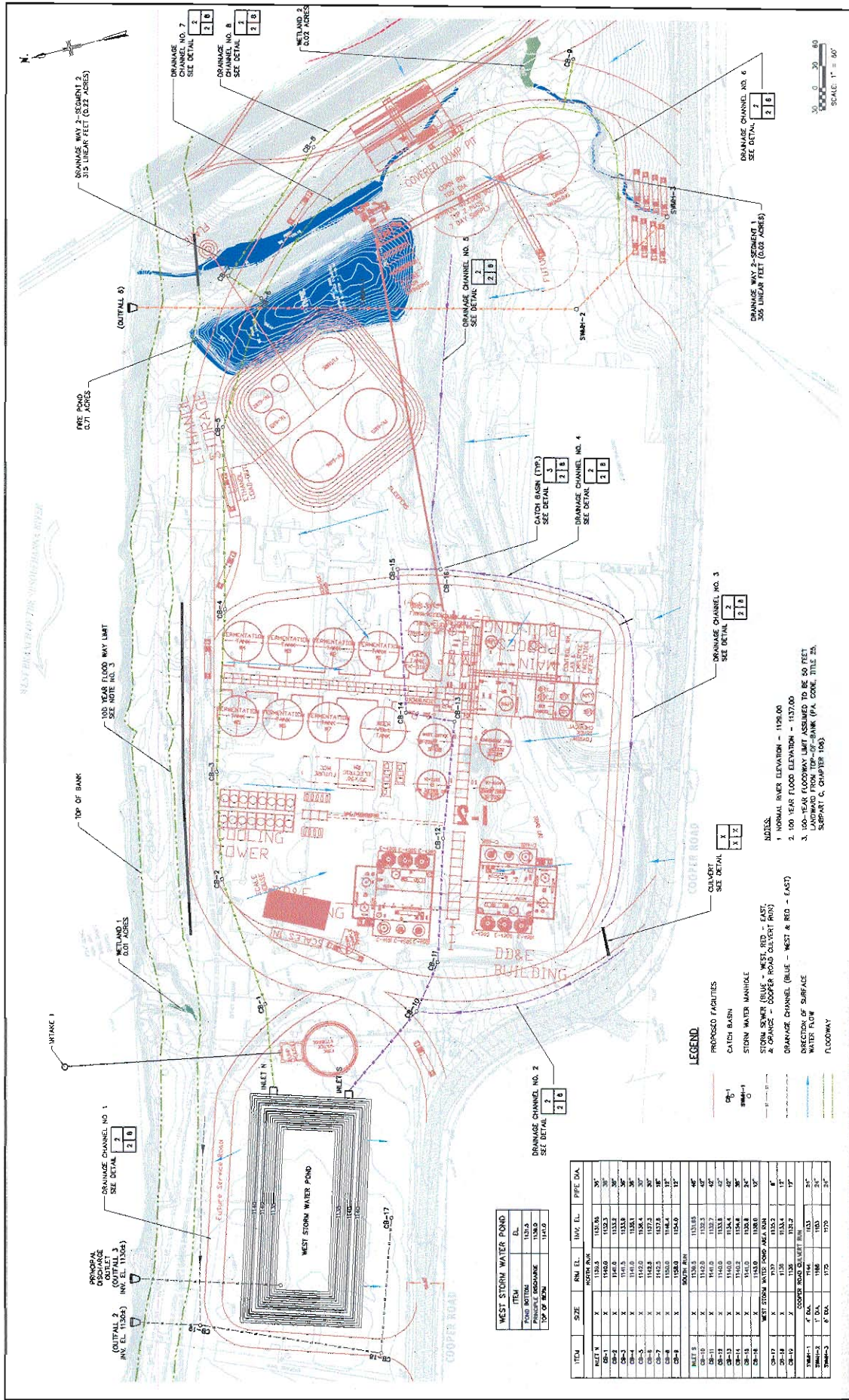


Data Source: USGS 7.5-minute Topographic Map Series, Curwensville and Glen Richey Quadrangles, 1993.



Sunnyside Ethanol LLC
Curwensville Ethanol and Cogeneration Plants
Site Location Map

Figure 1



WEST STORM WATER POND

ITEM	SIZE	RM. EL.	100-YR. EL.	PPE DIA.
1	10' x 10'	113.5	113.5	36"
2	10' x 10'	113.5	113.5	36"
3	10' x 10'	113.5	113.5	36"
4	10' x 10'	113.5	113.5	36"
5	10' x 10'	113.5	113.5	36"
6	10' x 10'	113.5	113.5	36"
7	10' x 10'	113.5	113.5	36"
8	10' x 10'	113.5	113.5	36"
9	10' x 10'	113.5	113.5	36"
10	10' x 10'	113.5	113.5	36"
11	10' x 10'	113.5	113.5	36"
12	10' x 10'	113.5	113.5	36"
13	10' x 10'	113.5	113.5	36"
14	10' x 10'	113.5	113.5	36"
15	10' x 10'	113.5	113.5	36"
16	10' x 10'	113.5	113.5	36"
17	10' x 10'	113.5	113.5	36"

ITEM	SIZE	RM. EL.	100-YR. EL.	PPE DIA.
DR-1	12" x 12"	113.5	113.5	36"
DR-2	12" x 12"	113.5	113.5	36"
DR-3	12" x 12"	113.5	113.5	36"
DR-4	12" x 12"	113.5	113.5	36"
DR-5	12" x 12"	113.5	113.5	36"
DR-6	12" x 12"	113.5	113.5	36"
DR-7	12" x 12"	113.5	113.5	36"
DR-8	12" x 12"	113.5	113.5	36"
DR-9	12" x 12"	113.5	113.5	36"
DR-10	12" x 12"	113.5	113.5	36"
DR-11	12" x 12"	113.5	113.5	36"
DR-12	12" x 12"	113.5	113.5	36"
DR-13	12" x 12"	113.5	113.5	36"
DR-14	12" x 12"	113.5	113.5	36"
DR-15	12" x 12"	113.5	113.5	36"
DR-16	12" x 12"	113.5	113.5	36"
DR-17	12" x 12"	113.5	113.5	36"
DR-18	12" x 12"	113.5	113.5	36"
DR-19	12" x 12"	113.5	113.5	36"
DR-20	12" x 12"	113.5	113.5	36"
DR-21	12" x 12"	113.5	113.5	36"
DR-22	12" x 12"	113.5	113.5	36"
DR-23	12" x 12"	113.5	113.5	36"
DR-24	12" x 12"	113.5	113.5	36"
DR-25	12" x 12"	113.5	113.5	36"
DR-26	12" x 12"	113.5	113.5	36"
DR-27	12" x 12"	113.5	113.5	36"
DR-28	12" x 12"	113.5	113.5	36"
DR-29	12" x 12"	113.5	113.5	36"
DR-30	12" x 12"	113.5	113.5	36"
DR-31	12" x 12"	113.5	113.5	36"
DR-32	12" x 12"	113.5	113.5	36"
DR-33	12" x 12"	113.5	113.5	36"
DR-34	12" x 12"	113.5	113.5	36"
DR-35	12" x 12"	113.5	113.5	36"
DR-36	12" x 12"	113.5	113.5	36"
DR-37	12" x 12"	113.5	113.5	36"
DR-38	12" x 12"	113.5	113.5	36"
DR-39	12" x 12"	113.5	113.5	36"
DR-40	12" x 12"	113.5	113.5	36"
DR-41	12" x 12"	113.5	113.5	36"
DR-42	12" x 12"	113.5	113.5	36"
DR-43	12" x 12"	113.5	113.5	36"
DR-44	12" x 12"	113.5	113.5	36"
DR-45	12" x 12"	113.5	113.5	36"
DR-46	12" x 12"	113.5	113.5	36"
DR-47	12" x 12"	113.5	113.5	36"
DR-48	12" x 12"	113.5	113.5	36"
DR-49	12" x 12"	113.5	113.5	36"
DR-50	12" x 12"	113.5	113.5	36"
DR-51	12" x 12"	113.5	113.5	36"
DR-52	12" x 12"	113.5	113.5	36"
DR-53	12" x 12"	113.5	113.5	36"
DR-54	12" x 12"	113.5	113.5	36"
DR-55	12" x 12"	113.5	113.5	36"
DR-56	12" x 12"	113.5	113.5	36"
DR-57	12" x 12"	113.5	113.5	36"
DR-58	12" x 12"	113.5	113.5	36"
DR-59	12" x 12"	113.5	113.5	36"
DR-60	12" x 12"	113.5	113.5	36"
DR-61	12" x 12"	113.5	113.5	36"
DR-62	12" x 12"	113.5	113.5	36"
DR-63	12" x 12"	113.5	113.5	36"
DR-64	12" x 12"	113.5	113.5	36"
DR-65	12" x 12"	113.5	113.5	36"
DR-66	12" x 12"	113.5	113.5	36"
DR-67	12" x 12"	113.5	113.5	36"
DR-68	12" x 12"	113.5	113.5	36"
DR-69	12" x 12"	113.5	113.5	36"
DR-70	12" x 12"	113.5	113.5	36"
DR-71	12" x 12"	113.5	113.5	36"
DR-72	12" x 12"	113.5	113.5	36"
DR-73	12" x 12"	113.5	113.5	36"
DR-74	12" x 12"	113.5	113.5	36"
DR-75	12" x 12"	113.5	113.5	36"
DR-76	12" x 12"	113.5	113.5	36"
DR-77	12" x 12"	113.5	113.5	36"
DR-78	12" x 12"	113.5	113.5	36"
DR-79	12" x 12"	113.5	113.5	36"
DR-80	12" x 12"	113.5	113.5	36"
DR-81	12" x 12"	113.5	113.5	36"
DR-82	12" x 12"	113.5	113.5	36"
DR-83	12" x 12"	113.5	113.5	36"
DR-84	12" x 12"	113.5	113.5	36"
DR-85	12" x 12"	113.5	113.5	36"
DR-86	12" x 12"	113.5	113.5	36"
DR-87	12" x 12"	113.5	113.5	36"
DR-88	12" x 12"	113.5	113.5	36"
DR-89	12" x 12"	113.5	113.5	36"
DR-90	12" x 12"	113.5	113.5	36"
DR-91	12" x 12"	113.5	113.5	36"
DR-92	12" x 12"	113.5	113.5	36"
DR-93	12" x 12"	113.5	113.5	36"
DR-94	12" x 12"	113.5	113.5	36"
DR-95	12" x 12"	113.5	113.5	36"
DR-96	12" x 12"	113.5	113.5	36"
DR-97	12" x 12"	113.5	113.5	36"
DR-98	12" x 12"	113.5	113.5	36"
DR-99	12" x 12"	113.5	113.5	36"
DR-100	12" x 12"	113.5	113.5	36"

- LEGEND**
- PROPOSED FACILITIES
 - CATCH BASIN
 - STORM WATER MANHOLE
 - STORM SEWER (BLUE - WEST, RED - EAST)
 - DRAINAGE CHANNEL (BLUE - WEST & RED - EAST)
 - DIRECTION OF SURFACE WATER FLOW
 - FLOODWAY

- NOTES**
1. NORMAL RIVER ELEVATION - 1120.00
 2. 100 YEAR FLOOD ELEVATION - 1137.00
 3. 100-YEAR FLOODWAY LIMIT ASSUMED TO BE 50 FEET FROM THE TOP OF THE BANK (V.A. CORN. TITLE 25, SUBPART C, CHAPTER 106)

SUNNYSIDE ETHANOL, LLC.
CURWENSVILLE, PA

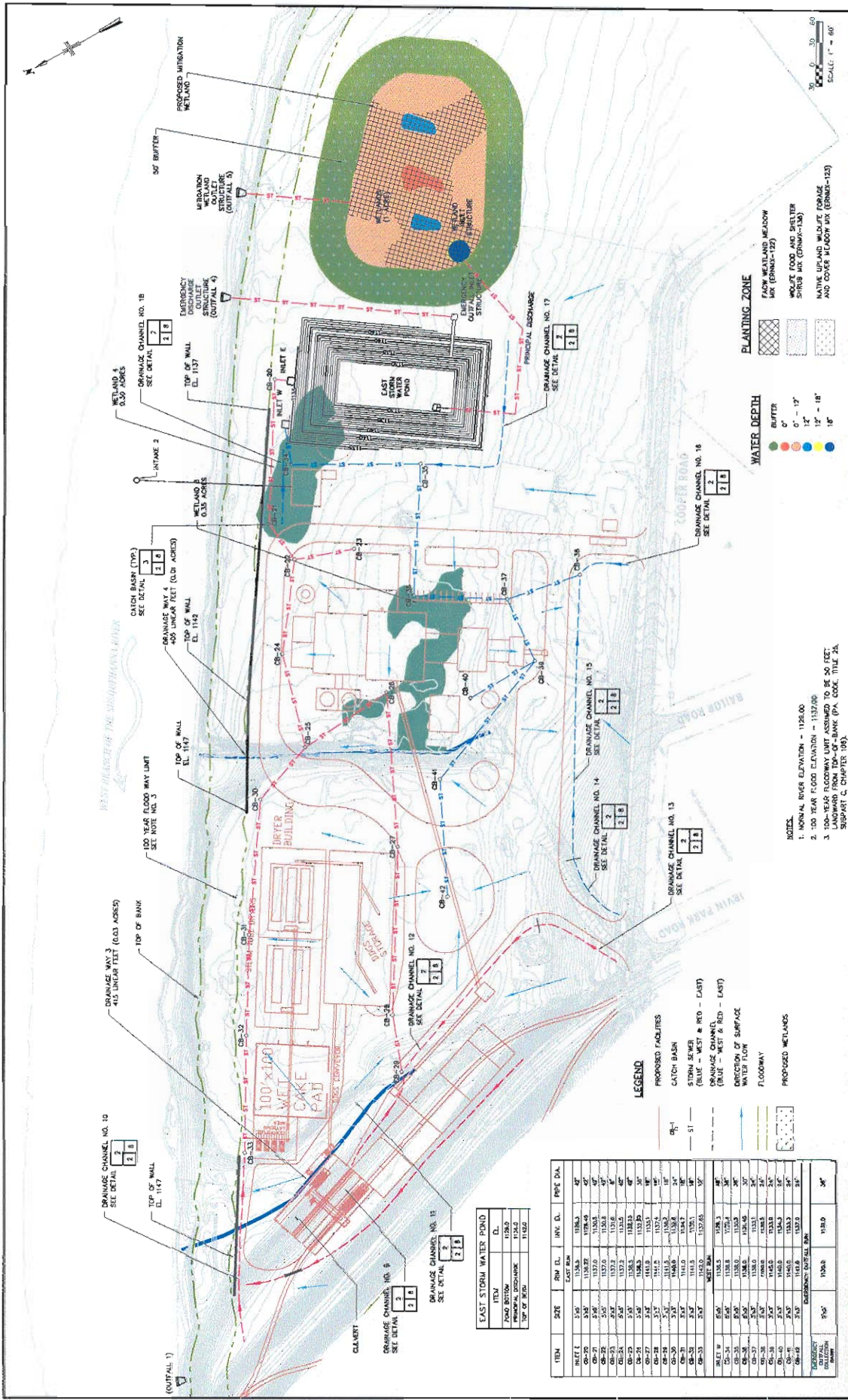
JOINT PERMIT APPLICATION

PROPOSED DRAINAGE PLAN WITH FUTURE FACILITY LAYOUT (WEST)

DATE: AUGUST 2006
SHEET: 1 OF 1
JOB REF. NO.: 48243000-C

MALCOLM PIRNIE

CONFIDENTIAL



CONFIDENTIAL

PROPOSED MITIGATION PLAN WITH FUTURE FACILITY LAYOUT (EAST)

DATE: AUGUST 2008

FIGURE 3

CAD REF. NO. 4624904-C

SUNNYSIDE ETHANOL, LLC.
CURWENSVILLE, PA

JOINT PERMIT APPLICATION

NOTES:

1. NORMAL RIVER ELEVATION = 1125.00
2. 100 YEAR FLOOD ELEVATION = 1137.00
3. 100-YEAR FLOODWAY UNIT ASSUMED TO BE 50 FEET.

PREPARED BY: SUNNYSIDE ETHANOL, LLC.
CHECKED BY: SUNNYSIDE ETHANOL, LLC.
APPROVED BY: SUNNYSIDE ETHANOL, LLC.

REVISIONS

NO.	DATE	BY	REASON
1	08/01/08	MM	ISSUED FOR PERMIT

EAST STORM WATER POND	
ITEM	Q.
POND BOTTOM	1128.0
PERIMETER DISCHARGE	1124.0
TOP OF BENT	1142.0